

**REGULAR MONTHLY MEETING  
PIKE COUNTY BOARD OF COMMISSIONERS  
September 30, 2008  
6:30 PM**

The Pike County Board of Commissioners held their Regular Monthly Meeting on Tuesday, September 30, 2008 at 6:30 pm in the Pike County Commissioners Meeting Room, Zebulon, Georgia. Members present were presiding Chairman Steve Fry, Commissioner Tommy Powers, Commissioner Jake Garner, Commissioner Roosevelt Willis and Commissioner Parrish Swift. Also in attendance were County Attorney Rob Morton and County Manager Steve Marro. (O.C.G.A. § 50-14-1(e) (2))

**CHAIRMAN FRY CALLED THE PIKE COUNTY COMMISSIONERS MEETING TO ORDER AND ASKED EVERYONE TO JOIN HIM IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.**

**CHAIRMAN FRY CALLED FOR APPROVAL OF THE AGENDA PURSUANT TO O.C.G.A. § 50-14-1(e) (1)**

The agenda was amended as follows:

- Add Executive Session-Pending and Potential Litigation pursuant to O.C.G.A. § 50-14-2(1) and Personnel-Countywide pursuant to O.C.G.A. § 50-14-3(6)
- Add to New Business Item L-First Reading of 2008 Water System Ordinance

**MOTION**

Commissioner Willis made the motion to approve the agenda as amended. Commissioner Powers seconded the motion. 5-0 vote.

**CHAIRMAN FRY CALLED FOR APPROVAL OF THE MINUTES OF THE REGULAR MONTHLY MEETING HELD WEDNESDAY, SEPTEMBER 10, 2008 AT 9:00 AM PURSUANT TO O.C.G.A. § 50-14-1(e) (2)**

**MOTION**

Commissioner Powers made the motion approve the Regular Monthly Meeting minutes held September 10, 2008 as corrected. Commissioner Swift seconded the motion. 5-0 vote.

**MOTION**

Commissioner Powers made the motion to approve the Special Called Meeting minutes held September 10, 2008 at 1:00 pm as corrected. Commissioner Swift seconded the motion. 5-0 vote.

**CHAIRMAN FRY CALLED FOR INVITED GUEST-BRIAN COHEN TO PRESENT ISO SURVEY RESULTS.**

Per Mr. Marro, Brian Cohen is running late and should be at the meeting in about 30 minutes.

**MOTION**

Commissioner Powers made the motion to table item V. Invited Guest-Brian Cohen Commissioner Willis seconded the motion. 5-0 vote.

**CHAIRMAN FRY CALLED FOR PUBLIC HEARINGS**

**A. SE 08-05:** Christian Fellowship Baptist Church has submitted an application for a Special Exception to allow an outdoor recreation area. The property is 15.44 acres and is located at 970 McKinley Road in Land Lots 224 and 225 of the 8<sup>th</sup> District of Pike County. The property is zoned AR and identified as Tax Map 066-44. Brenda Shaw represented Pike County Planning and Development. Chairman Fry asked if all advertising, signage and letters had been sent out and she

said that she believe that they had. Per Ms. Shaw, the staff had recommended approval subject to two conditions. One, the church will provide a concept drawing of the proposed recreational area and proposed parking and two, the outdoor lighting of the recreational area will be prohibited unless the church can demonstrate that adjacent homeowners will not be adversely effected. The Board of Appeals recommended approval with staff's conditions, one, the same, and two, no outdoor lighting. Chairman Fry asked if there was any limit on outdoor recreation on what type of outdoor activities would be allowed or outdoor recreation as far as noise, are motor vehicles allowed or go carts. Per Ms. Shaw, there were no limitations as far as she knew. She understood this to be a softball field. Chairman Fry asked if this was for sports and recreation or team play or was it being opened up for any type of outdoor recreation. Ms. Shaw said that she wasn't sure. Commissioner Swift said that he understood that the softball field was just for church use whereas the recreation at Life Springs Church could potentially service the community overall. Swift said that the parking at the church is all that they need to be concerned with. Chairman Fry then read the points used in arriving at a recommendation on the special exception.

Chairman Fry opened up the public hearing portion of SE 08-05

Citizens speaking in favor of SE 08-05 None.

Citizens speaking in opposition to SE 08-05 None

Chairman Fry then closed the public hearing portion of SE 08-05.

### **MOTION**

Commissioner Powers made the motion to approve SE 08-05 Christian Fellowship Baptist Church with the stipulations as noted by the staff and those were for the parking and lighting. The church should provide a concept drawing of proposed recreation area and parking areas to support this area, and 2. with no outdoor lighting for the recreation area unless the church can show the location of such areas not to be detrimental involving lighting and the effects to the adjacent homeowners.

Commissioner Swift seconded the motion. 5-0 vote.

### **CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-MONTHLY REPORTS SUBMITTED FROM COUNTY DEPARTMENTS, BOARDS AND AUTHORITIES**

Commissioner Swift asked about the reimbursement from the Board of Education in the amount of \$28,350.40. County Manager Marro said that that was for the School Resource Officer. It was also mentioned that there had not been a Keep Pike Beautiful board meeting since April 2008 due to the lack of a quorum. County Manager Marro is to look into this.

### **MOTION**

Commissioner Powers made the motion to accept monthly reports as submitted from the county departments and authorities. Commissioner Willis seconded the motion. 5-0 vote.

### **CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-COUNTY MANAGER REPORT**

County Manager Marro mentioned the following items:

1. EMA notice of certification of achievement by Pike County for Mr. Mike Singleton, EMA Director. Mr. Singleton, according to Mr. Marro, was recognized for his good work. Mr. Marro said that Mr. Singleton has already obtained \$35,000.00 in grants for EMA. The most recent grant was \$25,000.00 funding for a generator which will be used to set up an emergency operations center. Mr. Marro said that he thinks Mike has done a great job and that the county needs to commend him on the work that he has done.

Mr. Marro said that it was recommended that the Fire Department not make any unnecessary purchases until they know what is needed to make them ISO compliant.

Next, Mr. Marro spoke regarding the letter received from CIS Services pertaining to the Georgia Department of Transportation's dramatic changes in methodology for applying

for funding for roads and bridges. GDOT may be looking at reducing it's workforce by as many as 1,528 people. Todd Goolsby told Mr. Marro today that the batching plant that the county was to have access to at state permit prices has closed. The LARP program has been stopped. Shackleford Road has been paved. The Department of Transportation is looking for tremendous cost savings. In considering the changes with the GDOT, Mr. Marro wants to do a preliminary engineering study to get an estimate from a bridge engineer what it may cost the county to get these 9 bridges repaired. Mr. Marro asked that this be put out on a RFP for a bridge engineer. A proposal would need to be presented to GDOT before the end of December 2008 in order to submit for funding, assuming that this program is not cut. That would allow funding in 2010 for these bridge repairs. Chairman Fry said that people are hesitant to cut too much on bridge repairs after the bridge collapse in Minnesota a year or so ago. Commissioner Garner asked if the county would request a lump sum and if it was for the bridge report received. County Manager Marro said yes. Mr. Marro said that he didn't know if the repairs could be done in-house. Commissioner Garner said that whatever could be handled in-house should be done that way. Mr. Marro said that a contract would need to be let. Commissioner Garner said that if pilings needed to be replaced, the State could do that but there was a two or three year wait on the waiting list for that. Mr. Marro said as a side note that the Department of Corrections construction crew was no longer available. Mr. Marro asked that a RFP for engineering quotes be sent and once received he'd bring back to the Board of Commissioners to see if there was money left in contingency to cover this cost. Chairman Fry asked if there was someone at GDOT that they could talk to and find out if it's worth the county's time to do this. Mr. Marro said that no money would be spent until the Board authorized a contract to go forward. Mr. Marro said that he would contact the people at GDOT in Thomaston and find out who they'd recommend for bridge engineering.

Mr. Marro also mentioned that road projects could only be done one at a time. Adams Street in the City of Zebulon is the street that goes in front of the old school. Mr. Marro wants to find an engineer who could give the cost to do a RFP that would meet the needs to do road construction, sidewalks, drainage, and come back to the Board to see if that would be authorized and then again apply to GDOT for funding in 2010. Mr. Marro said that it looks like Pike County isn't going to get any money in 2009 because of the way the new program was set up. If the Board is ever going to move forward with a complex for the new courthouse and jail, road access off of Adams Street will need to be addressed. There are four streets involved and GDOT will only allow the county to apply for one street at a time. Either these roads be submitted four years in a row or the county will have to do some of the work out of the county budget. Mr. Marro asked if the Board wanted to move forward with these projects. The board said to put the application in and get the process going.

Next, Mr. Marro said that the Pike County Water and Sewerage Authority has requested that they be allowed to use fuel through the card system and if Public Works could maintain their vehicle for them. The Water Authority said that they'd pay for the fuel and maintenance of the vehicle but wanted to get it at the lower cost. Mr. Marro said that it would be easy enough to account for the fuel.

#### **MOTION**

Commissioner Swift made the motion to allow the Pike County Water and Sewerage Authority to be allowed access to the Pike County's fuel card system for purchases. Commissioner Willis seconded the motion. 5-0 vote.

#### **MOTION**

Commissioner Powers made the motion to allow maintenance of vehicles for Pike County Water and Sewerage Authority by Pike County Public Works. Commissioner Swift seconded the motion. 5-0 vote.

Lastly, Mr. Marro said that Chief Tom Tyree was going to discuss the donation of land for the Hollonville Fire Station. Chief Tyree read a letter received from Eugene and Patricia T. Dabbs. Chairman Fry said that this is a better location than the Hollonville

Church and will give better coverage. Chief Tyree asked that the Board make a decision and break ground within 30 days. County Attorney Morton said that the Board needed to discuss the name as it was a condition of the land donation. Commissioner Swift asked Mrs. Dabbs if she had any objection to the station being named Hollonville-Pedenville. Mrs. Dabbs said that she had no objection to that at all. It was further discussed that this property could only be used for a fire station or any activity used for fire protection. The Dabbs wanted to be sure that it was not used for a trash transfer station as Spalding County does. Chairman Fry asked if the property could be used for an animal control facility. The family said no to that idea.

### **MOTION**

Commissioner Powers made the motion to accept the proposal to move forward on it to obtain the necessary deed activity, surveys to further this progress (land to be donated to Pike County for the Hollonville Fire Station by Eugene W. Dabbs IV and Patricia T. Dabbs) with the conditions that were laid out on it with the naming of it, and the no transfer station, and use only as the department and if it ceases to be related to public safety it reverts back to the family. Commissioner Willis seconded the motion. 5-0 vote.

Financials were discussed at this point.

### **CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENT AND COMMITTEES-COMMISSIONERS REPORT**

**District 1**- Commissioner Willis had no report tonight.

**District 2**- Commissioner Swift asked about the changing of the fiscal year. It was mentioned that the governing authority sets the fiscal year. Mr. Rob Morton said that it is legally possible to make this change but recommended that it be done after January 1, 2009 because the Board would be making a motion about a future fiscal year when the composition of the Board will be changing as of January 1, 2009. The new Board members won't be official until January and this should be addressed at that time. Commissioner Swift said that he wanted to know if it would be more feasible to do a nine month budget this year or a six month budget the next fiscal year. Chairman Fry said that it is getting close to starting budget time now. Commissioner Swift said that he wanted the fiscal year to go July 1, 2009 to June 30, 2010.

Next, Commissioner Swift asked about the timing of ordinances. Commissioner Swift said that the CATF ordinance sub-committee has submitted many ordinance that have not made it through Planning and Development, then on to the Planning Commission and the Board of Commissioners. Why are the public hearings not being advertised for these ordinances? He specifically mentioned the fence ordinance, referring to the Gresham issue. He said that we needed an architecturally specific definition of a fence in the ordinance.

### **MOTION**

Commissioner Swift made the motion for an aesthetic ordinance related to fencing; address the architectural design of fencing, description, definition, guidelines to go by. Commissioner Willis seconded the motion. 4-1 vote with Commissioner Garner opposed.

Commissioner Swift then asked for the status of the Entertainment Ordinance. County Attorney Morton said that this was with the CATF and the intent is to have this in place by November 1<sup>st</sup>. Mr. Morton said that the draft will be completed by then.

Commissioner Swift mentioned a foul odor in the water on Gresham Road and wanted to know if the water authority was aware of this.

Lastly, Commissioner Swift asked if he could go on the Gresham property with the Code Enforcement Officer. County Manager Marro said that he had no problem with that.

**District 3**-Commissioner Powers had no report tonight.

**District 4**-Commissioner Garner had no report tonight.

Chairman Fry had no report tonight.

**CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS,  
DEPARTMENT AND COMMITTEES-COUNTY ATTORNEY REPORT**

County Attorney Morton had no report today.

**CHAIRMAN FRY CALLED FOR UNFINISHED BUSINESS**

A. Request to purchase the building 'kit' for Hollonville Station. Mr. Marro said he had been asked by several commissioners to ascertain as to the status of this station. It has never been authorized to go ahead with this station. The contract has been executed with Dee McLeRoy but the purchase of the third station has never been executed. This was done at Mr. Marro's discretion because he wanted to be sure that there were enough funds to complete the first two stations. Mr. Marro said that there was \$59,452.00 residual and the final purchase of the third station for Hollonville would be \$17,305.00. That price was as of two weeks ago, per Marro. Mr. Marro asked that the Board allow him to buy the kit.

**MOTION**

Commissioner Swift made the motion to pay the balance on the purchase of the third station (Hollonville Fire Station). This is to buy the building kit. Commissioner Willis seconded the motion. 5-0 vote.

B. Discussion of rescinding DFACS appointment. County Attorney Morton stated that he was informed that the person appointed to the DFACS Board at the previous meeting did not meet their qualifications/criteria.

**MOTION**

Commissioner Powers made the motion to rescind the appointment (to the DFACS Board)made at the last meeting) and readvertise. Commissioner Garner seconded the motion. 5-0 vote.

It was then discussed that the county should get the guidelines from DFACS, advertise, and then submit the applications to DFACS for their screening.

C. Donny Bennett has requested to use his test track on the third Saturday of each month from 1:00 pm until 6:00 pm. Mr. Bennett has brought this before the Board again as there was no decision at the last meeting (2-2 vote). Mr. Marro said that definitive action needed to be taken.

**MOTION**

Commissioner Powers made the motion to deny the use on the third Saturday from 1:00 to 6:00 pm. Motion died for lack of a second.

**MOTION**

Commissioner Swift made the motion to approve Donny Bennett's request to use his test track on the third Saturday of each month from 1:00 pm until 6:00 pm. Commissioner Willis seconded the motion for discussion, saying that he had visited the site twice and that the noise wasn't that bad. 3-2 vote with Chairman Fry and Commissioner Powers opposed.

### **CHAIRMAN FRY CALLED FOR NEW BUSINESS**

A. Discussion of bringing on an engineer to discuss the DOT bridge report. This had been discussed earlier in the meeting during the County Manager's report.

B. Discussion of bringing on an engineering firm to discuss reconstruction of Adams Street for the New County Complex using GDOT funds. This had been discussed in the County Manager's report.

At this time Brian Cohen had arrived at the meeting.

### **MOTION**

Commissioner Swift made the motion to remove the invited guest-Brian Cohen to present ISO survey results from the table. Commissioner Willis seconded the motion. 5-0 vote.

Brian Cohen passed out his report to the Commissioners. Commissioner Swift asked if the report was complete. Mr. Cohen said that it was not complete but that this was a draft copy for the Commissioners to review. He said that he could come back in a week or two and discuss the report with them and get any items that they think needed to be added to the report. Mr. Cohen said that the county should look at getting an ISO rating of 5, possibly a 4. The only issue the he has seen that might be a problem is the distance between stations saying that the road miles between stations should be at least 5 miles to allow combining of manpower. He said that substations could be put in to resolve this problem. The fact that the cities did not participate in the study put a damper on this issue. Commissioner Swift asked why the cities did not go in on this. Chairman Fry said \$4,000.00 per city. Mr. Marro said that the cities chose not to participate. This is strictly a county-wide ISO. Mr. Cohen said that training needed to be addressed, saying that is always a deficit in volunteer organizations. Mr. Cohen also recommended that since the county had both dry-hydrants and pressurized hydrants, that they supplement this with the use of a turbo-draft. It was mentioned that some of the maintenance on the dry-hydrants has been poor. He did say that most of the water sources were viable water sources. Some of the hydrants were hard to locate even with the gps coordinates. Per Cohen, ISO looks only at structure fire response. Property outside of a five road mile radius of a fire station would be a class 9 within Pike County, however within that five road mile radius; the rating could be a 5 in some places. Mr. Cohen said that he has yet to have anyone score higher than an ISO rating of 6. Commissioner Swift asked if Cohen would be working with the county until the ISO survey was concluded, Cohen said yes. Once the draft report is done, the commissioners look at it and make any suggestions that they have. Cohen then works with Chief Tyree to get paperwork completed and submitted to ISO. Once the ISO inspection is scheduled, Cohen said that he'd be here for the inspection. Once the inspection report is received from ISO, he'll then come back and review the report. Per Mr. Cohen, ISO is hiring 52 new inspectors. Classes 1, 2, and 3 will be re-inspected every three years; class 4, 5, and 6 will be re-inspected every five to seven years. Above class 6 will be inspected every ten to fifteen years. This is up to ISO's discretion. Chairman Fry asked what effect the cities not going in on this study had. Cohen said that he didn't know since then didn't look at the cities. Cohen said that having substations would help with the coverage. Commissioner Swift asked if a \$695.00 canopy with an old truck would work. Cohen said that it needed to be a heated, one bay building with a class A engine. What matters is where ISO thinks the stations should, not where the county wants them to be. Chairman Fry asked how big of a deal having a turbo draft was. Fry said that turbo drafts were more beneficial than dry-hydrants for portability. Cohen said that using a turbo draft gave much more flexibility even though dry-hydrants were still very important. Mr. Marro asked if the preliminary report called for a dry-hydrant maintenance schedule. Cohen said that it did. Cohen said that the pressurized hydrants needed to be on a schedule, also. These needed to

be inspected every six months. Chairman Fry asked if it would be worth the county paying the \$16,000.00 for the cities to have them included in the study. Cohen said that would be up to the county. In order to combine the whole county, there would need to be one authority, one fire chief, one agency. All of the stations would need to be tied together. Commissioner Swift said that that will not happen. Per Swift, having one chief, etc, blows that right out of the water as each department has its own chief and authority and is afraid to lose that. Brian Cohen said that fire departments are very territorial. Chairman Fry said that he hated to see citizens losing thousands of dollars in premiums because the cities did not spend the \$4,000.00. Cohen said that at the next meeting he'd give a presentation on what it would do if the cities would join in. He said that that was abandoned when the cities did not join the study. He did say that all of the fire stations would need to be under one command. Commissioner Swift said that that will never happen. Cohen then asked if he should just continue on the path that he's going. The answer was yes. Chairman Fry asked what the next step is. Cohen said that they needed to discuss this with the Board. Chairman Fry suggested the next Board meeting, October 8<sup>th</sup>. Cohen said he'd put it on his calendar.

C. First Reading of Special Revenue Funds (e-911, DATE, Juvenile, Law Library Law Enforcement) Confiscation Fund budgets. Chairman Fry said that these would not affect the bottom line on the budget but they needed to be approved separately.

#### **MOTION**

Commissioner Garner made the motion to accept as First Reading of the Special Revenue Funds. Commissioner Powers seconded the motion. 5-0 vote.

D. Ron Alexander has requested a beer and wine pouring license effective November 1, 2008. Chairman Fry said that the intent was to not accept applications until November 1<sup>st</sup>. County Attorney Rob Morton said that applications can not be taken and processed prior to November 1<sup>st</sup>. Chairman Fry wants sales of beer and/or wine to be less than 50% of each ticket, not gross receipts. Ron Alexander said that he had no problem with that. Mr. Alexander did ask that the \$700.00 fee that he paid be good when he does re-apply.

#### **MOTION**

Commissioner Powers made the motion that Mr. Alexander's fee will still stand at the time that the application (for beer and wine pouring license) is accepted. Commissioner Swift seconded the motion. 5-0 vote.

It was further discussed that signage, percentage (by gross receipts or ticket by ticket), and adult entertainment needed to be addressed prior to November 1<sup>st</sup>. County Attorney Morton said that the sign ordinance was done and that serving alcohol with adult entertainment is an issue that CATF was working on.

E. FY 2008 Budget Amendment #15 to cover invoices from Whitley Engineering. Mr. Marro said this money is to cover the engineering services through the end of the year for the Planning and Development office. Mr. Marro also said that the invoices will nowhere near come close to this \$39,000.00 figure and whatever is left over in Professional Services will be carried forward to the fund balance.

#### **MOTION**

Commissioner Powers made the motion to move \$39,393.00 which was the surplus in account 100-74-7410-521200-000 Professional Services over to the 100-7420-511100-000 account for Regular Employees, the corresponding account for Group Insurance and the next one for FICA & Medicare. (Budget Amendment #15) Commissioner Swift seconded the motion. 4-1 vote with Commissioner Garner opposed.

F. FY 2008 Budget Amendment #16 to move from Regular Employees to Contract Services for payment to Personnel Options invoices for the remainder of the year.

**MOTION**

Commissioner Willis made the motion to move from Regular Employees to Contract Services for payment of Personnel Options invoices for the remainder of the year. (Budget Amendment #16 for \$4,968.00) Commissioner Swift seconded the motion. 5-0 vote.

G. FY 2008 Budget Amendment #17 to increase Revenue and decrease Expenditures to balance the FY 2008 Budget. Chairman Fry said that there was unexpected revenue in the amount of \$111,470.53. There were also expenditure reductions in the amount of \$88,650.68.

**MOTION**

Commissioner Swift made the motion to make Budget Amendment #17 (increase Revenues \$111,470.53 and decrease Expenditures \$88,650.68 for a total of \$200,121.21 to balance the FY 2008 Budget). Commissioner Willis seconded the motion. 5-0 vote.

H. Request Fire Chief Tom Tyree to issue a purchase contract for fire equipment. County Manager Marro said that in the 2008/2009 budget, \$105,000.00 was appropriated for equipment for the new fire trucks. Chief Tyree has gone out and gotten quotes from two different suppliers. Both quotes were presented to the Commissioners in their packets. Per Mr. Marro, Chief Tyree recommended that the contract go to Darley for the purchase of this equipment.

**MOTION**

Commissioner Swift made the motion to award that bid to Darley in the amount of \$104,907.00 for the equipment for the four new fire engines. Motion is contingent on the County Attorney approving the contract and getting that in writing with Darley and Company on the aforementioned purchase. Commissioner Powers seconded the motion. 5-0 vote.

I. Towaliga Soil and Water Conservation request to fund educational programs. Chairman Fry said that is the amount that the Board normally pays to the Towaliga Soil and Water Conservation and feels that this is money very well spent to be a member of this and also in keeping with the agricultural complexion of Pike County.

**MOTION**

Commissioner Swift made the motion to maintain the educational activities provided by the Towaliga District for \$500.00. Commissioner Powers seconded the motion. 5-0 vote.

J. Discussion of air conditioner replacement contract. Mr. Marro said that the air conditioning unit on the jail needs to be replaced, saying that it has failed four times. Three bids have been received on this by reputable companies that do a lot of business in Pike County. Commissioner Willis asked for the time frame of these four failures. Mr. Marro said that the air conditioning has failed four times this summer. Commissioner Powers asked what Mr. Marro meant by 'failing'. Mr. Marro said that the condenser units are leaking through the roof. Commissioner Swift asked for the age of this unit. Commissioner Willis said that per one of the bids, the unit was 12 years old. This topic was postponed until the next meeting.



K. Appoint one member to the Planning Commission. Chairman Fry read applications from the following citizens:

Teresa Crow  
Joy Walker  
Richard Baskin  
Margaret Blue  
David Nix  
Brent Taylor

It was discussed that new people needed to be appointed to these Boards.

#### **MOTION**

Commissioner Powers made the motion to appoint Richard Baskin to the Planning Commission. Commissioner Swift seconded the motion. 3-2 vote with Commissioner Willis and Commissioner Garner opposed.

L. First Reading of the 2008 Water System Regulations Ordinance. Chairman Fry said that this ordinance had been discussed in detail at the workshop just prior to tonight's meeting and asked if there were any questions. County Manager Marro said that the Water Authority charged Pike County \$1,000.00 to hook up to the line on Reidsboro Road. Mr. Marro said that he's never seen one government charge another arm of the government for services. Mr. Marro said that he also wanted to know why there was going to be a charge to the fire department for water. "You are providing a service" said Marro.

#### **MOTION**

Commissioner Swift made the motion to consider First Reading of the 2008 Water System Regulations Ordinance with the change under 50.03-23 "where zone density is PR or greater" was struck under that. Commissioner Willis seconded the motion. 5-0 vote.

#### **CHAIRMAN FRY CALLED FOR PUBLIC COMMENT**

A. Angie Stinchcomb to discuss animal control. (per Parrish Swift) Mrs. Stinchcomb stated that her dog was attacked through the fence to her yard by the neighbor's three dogs. Her dog was inside the fenced yard and was partially pulled through the fence. The dog's injuries were so severe that they had to have the dog put down. She stated that her children are now afraid to go out in the yard. Chairman Fry asked what would have changed if Pike County had animal control in place. County Attorney Morton said that the vicious dog statute applies only to attacks on humans and livestock, not to other dogs. Commissioner Swift suggested that policy be created for this. County Attorney Morton said that an ordinance was written but never acted on because of facility issues. Chairman Fry said that having a facility won't solve the problem. Commissioner Garner said that owners should be responsible for their pets. Commissioner Swift said that the ordinance should be revisited. Don Bailey said that the Sheriff's Department had had training on animal cruelty the previous day. It was discussed who was going to find the 1 1/2 acres of property needed for this animal control facility. County Attorney Morton said that the ordinance is based on having a shelter.

#### **MOTION**

Commissioner Swift made the motion to bring the ordinance before us at the next meeting for First Reading. Secondly, that we research site locations, and thirdly that we explore the funding options on potential site locations. Commissioner Willis seconded the motion. 5-0 vote.

B. Lynn Hubbard to discuss the reconsideration of the last appointment to the Library Board saying that Mr. J.A. Morrison could be a possible 'conflict of interest'. Ms. Hubbard asked that Keith McClelland be allowed to speak in her place. Mr. McClelland is the Vice-Chairman of the Library Board. It was discussed that J.A. Morrison is the grandson of the library director and that his mother is also on the Library Board. He said that they were concerned about having another member of that family on the Board. County Attorney Morton said that they by-laws do not say anything about removal and that the request could be forwarded to the Governor's office. Mr. Morton also said that there was no prohibition to having more than one family member on the Board. Commissioner Garner said that he made the motion thinking he was appointing John C. Morrison to the Board. Mr. McClelland said that they are changing the by-laws to add that Board members can't be immediate family members of library employees. John Hoover asked Mr. McClelland how many times he'd been to the Board of Education requesting that the other family member be removed from the Library Board. Mr. McClelland said that he hadn't gotten around to that yet but that was a valid point. It was asked how long Ms. Morrison had been on the Library Board and Mr. McClelland said that he didn't know. It was stated that she had been on the Board for four years. It was mentioned that the application form should ask if the applicant is related to anyone on the Board for which they are seeking a position. Chairman Fry said that the application did ask about a conflict of interest and said that the answer wasn't truthful. Commissioner Willis asked if it would be appropriate for Commissioner Garner to rescind his motion to appoint J.A. Morrison to the Library Board. County Attorney Morton said that it would be appropriate but said that it depended on whether the appointment was made in writing and transmitted to the executive director of the Flint River Library System. If it hasn't been done then the appointment isn't official.

#### **MOTION**

Commissioner Garner made the motion to rescind the motion to appoint J.A. Morrison to the Library Board. Commissioner Willis seconded the motion. 5-0 vote.

#### **MOTION**

Commissioner Swift made the motion to readvertise for the Library Board. Commissioner Powers seconded the motion. 4-1 vote with Commissioner Willis opposed.

#### **MOTION**

Commissioner Willis made the motion to extend the previous Chairman's term until that extra position can be filled (on the Library Board.). Commissioner Powers seconded the motion. 5-0 vote.

#### **CHAIRMAN FRY CALLED FOR EXECUTIVE SESSION**

- Personnel-Countywide pursuant to O.C.G.A. § 50-14-3(6)
- Pending/Potential Litigation pursuant to O.C.G.A. § 50-14-2(1)

#### **MOTION**

Commissioner Swift made the motion to exit Regular Session and enter into Executive Session for the purposes of Personnel-Countywide pursuant to O.C.G.A. § 50-14-3(6) and Pending/Potential Litigation pursuant to O.C.G.A. § 50-14-2(1) at 10:01 pm. Commissioner Powers seconded the motion. 5-0 vote.

#### **MOTION**

Commissioner Garner made the motion to exit Executive Session and re-enter Open Session at 10:54 pm. Commissioner Swift seconded the motion. 5-0 vote.

#### **MOTION**

Commissioner Powers made the motion to adjourn at 10:56 pm. Commissioner Swift seconded the motion. 5-0 vote.

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Chairman Steve Fry  
Pike County Board of Commissioners

ATTEST:

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Steve Marro  
County Manager